(21)

(3)

BEFORE THE HON'BLE HIGH COURT OF JUDICATURE AT CHHATTISGARH AT BILASPUR (C.G.)

IN THE MATTER OF W.P. NO. 2285 /2001

Between

PETITIONER: -

Manohar lal Jethani, S/o. Dr. Varial Das Jethani, aged about 30 years, resident of Chandra Madicos, 1st Floor, Kohinoor Hotel, Amardeep Talkies Road, Raipur, Chhattisgarh.

Vs.

P.R. No. 228457
Presented by Shri ... Advt.
on ... 23/10/01

RESPONDENTS: -

1. State of Chhattisgarh, through Secretary, Department of Health and Family welfare, Mantralaya, DKS Bhawan, Raipur (Chhattisgarh).

2. Chhattisgarh State Pharmacy Council, through Registrar, Noorani Chowk, Raja Talab, 1st Floor Ayurvedic Hospital, Raipur (Chhattisgarh).

3. Toshan Lal Chandrakar,

4. Bansal Nahar.

5. Shantilal Jain.

6. Ashok Jain

Respondent No. 3 to 6 all are Members of Chhattisgarh State Pharmacy Council, 1st Floor Ayurvedic Hospital, Raipur (Chhattisgarh).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 2285/2001 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

23.07.2002

Shri Kishore Bhaduri, counsel for the petitioner.

Shri Sanjay K. Agrawal, Dy.Advocate-General for respondent No.1.

Shri Prashant Mishra, counsel for respondent No.2.

In terms of the Court's order dt.22.7.2002 Shri K.L.Gopwar, Registrar, Chhattisgarh Pharmacy Council is present alongwith the record which is perused and returned to him.

The grievance of the petitioner is to the inaction on the part of respondent No.2 in not renewing his license. According to the petitioner, since he has not been able to meet illegal demands made by respondent No.2, his license was not renewed though to his knowledge three persons who had submitted applications for renewal much after he had submitted his application, were granted renewal within a day. The names of these persons are mentioned in paragraph 5.7 of the writ petition. The fact that the license of these persons was renewed within a day, is not disputed by respondent No.2. It is further submitted that

[पीछे देखिये

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

as the petitioner did not submit the full renewal fee, his renewal application could not be processed. However, there is no endorsement of this fact on the body of the application nor is there any record in respect of this fact. On a query being raised, it was stated that the order sheets or notings are not kept. This is unfortunate. It goes without saying that when applications are filed, there should be some office record which should indicate the date of receipt of the applications and how they are processed. In case any application is lacking in any particular, it should be so indicated in the record maintained by respondent No.2 and the applicant should be informed to rectify the defect. It is hoped that steps will be taken by the appropriate authority in that regard. Be that as it may, it was specifically stated by the respondent No.2 that the license of the petitioner who had rectified the defects was renewed and granted in December 2001 but he did not approach the authorities to collect the same. At this stage learned counsel for the petitioner submitted that the license would either by send by post or it could be delivered or handed over to him and, in turn the petitioner would collect the license from him.

In the above view of the matter, nothing more remains to be done in this writ petition, which stands disposed of with the above directions.

C.c.as per rules.

Sd/-
P.C.Naik
Judge